



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

**MANUFACTURED HOUSING COMMISSION**  
**DEPARTMENT OF LABOR AND ECONOMIC GROWTH**  
BUREAU OF CONSTRUCTION CODES  
2501 Woodlake Circle, Conference Room #3  
Okemos, Michigan  
**AGENDA**  
October 15, 2008  
10:00 a.m.

1. Call to Order and Determination of Quorum
2. Approval of Agenda (Part 1 - Pages 1-2)
3. Approval of Minutes — August 13, 2008 (Part 1 - Pages 3-29)
4. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]

The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Brenda Caron at (517) 241-9317 at least 10 work days before the event. DLEG is an equal opportunity employer/program.

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5. Imposition of Penalties
  - a. Superior Manufactured Homes, Inc., and Beth A. Geise, President and Operator (Part 1 - Pages 30-70)
6. Variances
  - a. P-Trap Variance — The Lakes, LLC (St. Clair County)
  - b. Thorn Hollow Mobile Home Village (St. Clair County) (Part 1 - Pages 71-80)
7. Committee Reports
  - a. Ordinance Review Committee (Part 2 - Pages 81-208)
8. Old Business
9. New Business
  - a. Report on Annual Inspections of Manufactured Home Communities
  - b. Proposed 2009 Meeting Schedule (Part 2 - Page 209)
  - c. License Approval (Part 2 - Page 210)
10. Executive Director's Report
11. Other Business
12. Adjournment



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BUREAU OF CONSTRUCTION CODES  
2501 Woodlake Circle, Conference Room #3  
Okemos, Michigan

**MINUTES — DRAFT**

August 13, 2008

10:00 a.m.

**MEMBERS PRESENT**

Mr. Ronald Blank, Chairperson  
Ms. Brenda Abbey  
Ms. Betty Blackburne  
Ms. Carole Elliott  
Ms. Mary Fowlie

Mr. David Hagey  
Mr. Peter Hennard  
Mr. Mark Raukar  
Mr. Jerome Ruggirello

**MEMBERS ABSENT**

Ms. Kathy Edwards-Johnson

**MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING**

Mrs. Beth Aben, Deputy Director, Bureau of Construction Codes (BCC)  
Mr. Larry Lehman, Chief, Building Division, BCC  
Mr. Charles Curtis, Assistant Chief, Building Division, BCC  
Mrs. Brenda Caron, Executive Secretary, Building Division, BCC  
Mr. Scott Fisher, Director, Office of Local Government & Consumer Services (OLGCS), BCC  
Mr. Kevin DeGroat, Regulation Specialist, OLGCS, BCC  
Mr. Bill DeTemple, Analyst, OLGCS, BCC  
Mr. Irvin Poke, Chief, Plan Review Division, BCC  
Mr. David Viges, Director, Office of Management Services (OMS), BCC  
Mrs. LeeAnn Allaire, Departmental Analyst, OMS, BCC

**OTHERS IN ATTENDANCE**

Mr. Joseph Ajlouny, Jr., Village on the Lake	Mr. Ken Peterson, South Lansing Manufactured Homeowners Assn.
Mr. Kenneth Cole, GCSI	Sgt. Rick Pomorski, Canton Police Department
Mr. Tim DeWitt, MMHA	Mr. Lyn Wellhausen, Rudgate Communities
Ms. Cyndie Drago, Holiday Estates Homeowners Assn.	Mr. Ralph Welton, City of Inkster
Mr. Walter Elliott, MOLA	Mr. Gary Woody, Holiday Estates Homeowners Assn.
Mr. Jonathan Hatswell, Hamlin Neighborhood Assn.	
Mr. Mike Lockman, Asst. Attorney General	

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**1. CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at approximately 10:03 a.m. by Chairperson Blank. A quorum was determined to be present at that time.

Chairperson Blank indicated that there were a few new faces with us today. He introduced Beth Aben as the new Deputy Director for the Bureau of Construction Codes, replacing Mark Sisco who recently retired.

He also introduced Commissioner Peter Hennard who was just appointed to the Commission representing an elected official of local government, and replacing Commissioner Kevin Gillette whose term had expired.

He also introduced Assistant Attorney General Mike Lockman who was requested to be here today to answer questions members may have regarding the ordinance review items on today's agenda.

**2. APPROVAL OF THE AGENDA**

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Raukar to approve the Agenda. **MOTION CARRIED.**

\*\*\*\*Addendum 1

**3. APPROVAL OF MINUTES**

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Raukar to approve the minutes of the June 11, 2008, meeting. **MOTION CARRIED.**

\*\*\*\*Addendum 2

**4. MANUFACTURED HOUSING COMMISSION FEES FINANCIAL REPORT**

Mrs. LeeAnn Allaire gave the Manufactured Housing Commission Fees Financial Report for the 3<sup>rd</sup> Quarter of FY 2008 and answered questions presented by the Commission.

**5. PUBLIC COMMENT**

Ms. Cyndie Drago, President of Holiday Estates Homeowners Association, provided Commissioners with a packet of information/photos relating to her concerns and as a follow-up to the issues she brought before the Commission at the April meeting.

Mr. Jonathon Hatswell, representing Hamlin Neighborhood Association, asked to speak before the Commission regarding his concerns about the inspection/complaint process in his community. It was determined that this is still an open complaint; therefore, it should not be discussed during the Public Comment segment of this meeting.

**6. IMPOSITION OF PENALTIES**

**In the Matter of Pleasant Lake Mobile Home Community and Peter Kostishak, Resident Agent and Operator**

No one was present to represent the Respondents.

Mr. DeGroat represented the Bureau of Construction Codes.

After discussion, a **MOTION** was made by Commissioner Abbey and supported by Commissioner Elliott to impose a civil fine in the amount of Two Thousand Dollars (\$2,000.00) payable within thirty (30) days of the issuance of the Final Order; automatic revocation of the Respondents' Manufactured Housing Community License No. P000111 sixty (60) days from the date of the Final Order if Respondents do not pay the Two Thousand Dollar (\$2,000.00) civil fine. Revocation of Respondents' Manufactured Housing Community License No. P000111 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the Act during the time of suspension or revocation, under Rule R125 1214b. Revocation of Respondents' Manufactured Housing Community License No. P000111 shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed. If the license is revoked, the Respondents shall make full restitution to all existing Pleasant Lake Mobile Home Community residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed. Should Respondents qualify for and obtain a Manufactured Housing Community License after the effective date of the Final Order, the license issued shall contain the limitation that it will automatically be revoked if Respondents fail to comply with the Act and shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed if deemed necessary by the Department; if Respondents' Manufactured Housing Community License is revoked pursuant to the limitation described above, Respondents shall make full restitution to all customers to whom Respondents have not delivered contractually stipulated services of One Hundred Percent (100%) of the value of those services after revocation of the license. **MOTION CARRIED.**

\*\*\*\*Addendum 3

7. **VARIANCES**

**Village on the Lake, L.L.C. (Oakland County)**

Mr. Ajlouny was present to represent the community.

Mr. DeGroat reviewed the request.

After a lengthy discussion, a **MOTION** was made by Commissioner Hagey and supported by Commissioner Elliott to approve the request for variance to Rule 947a, R125.1947a, with regard to the 3' home to rear boundary/fence for the sites outlined on page 55 of the Commission packet under Section 4. This approval is subject to the condition that Village on the Lake, L.L.C. removes any wood fencing abutting the aforementioned sites along the community boundary and installs no other homes or structures which violate minimum setbacks in this community. **MOTION CARRIED.**

Another **MOTION** was made by Commissioner Hagey and supported by Commissioner Blackburne to deny the request for variance to Rule 947a, R125.1947a, with regard to the 4' clear pathway for the sites outlined on page 55 of the Commission packet under Section 3. **MOTION CARRIED.**

\*\*\*\*Addendum 4

8. **COMMITTEE REPORTS**

**Executive Director's Ordinance Report**

Mr. Lehman asked to give a report, based on some concerns, prior to the Commission reviewing the Ordinance Review Committee's report.

As a reminder, he stated that the Manufactured Housing Commission has the authority to: "(a) after consultation with and considering comments from representatives of the manufactured housing industry and other interested parties, recommend rules to the department to implement and administer the act; (b) act for the purpose of establishing a uniform policy relating to all phases of mobile home businesses, mobile home parks, and seasonal mobile home parks; (c) determine the sufficiency of local mobile home ordinances which are designed to provide local governments with superintending control over mobile home businesses, mobile home parks, or seasonal mobile home parks; and (d) conduct public hearings relating to the powers prescribed in this subsection."

Mr. Lehman indicated that at the last Commission meeting three municipal ordinances were brought before the Commission. One of the ordinances was from Canton Township, which was primarily a municipal blight ordinance, and it was tabled. Subsequently as a result of research and a brief meeting with staff and the Attorney General's office, it was decided that the Mobile Home Commission Act and Rules do not have standards related to that type of proposed ordinance. Therefore, the Commission does not have the authority to approve or deny such an ordinance. A letter was sent from Mr. Lehman to Canton Township and is included in today's meeting packet as page 192. Basically, it says that the Manufactured Housing Commission does not have the authority to approve or deny this type of ordinance.

The other two ordinances were from Allendale Township and the City of Holland and are rental and registration ordinances. These two ordinances were denied by the Commission, and BCC staff and the Attorney General's office have some concerns as to whether adequate reason was given for their denial. Subsequently, what Allendale Township and the City of Holland have done, or are in the process of doing, is re-submitting their ordinances for review by the Ordinance Review Committee and then on to the Commission for formal approval or denial. You have the Ordinance Review Committee report in your packets today, and they have recommended denial because the standards therein were not related to a specific section of the Mobile Home Code, as required by Section 7(1) of the Act. Again, Mr. Lehman has concerns whether or not we have given adequate reasons for denial. It could be argued that if there is not a standard within the Mobile Home Commission Act or Rules, the ordinance may legally be adopted and could potentially go into effect.

The Inkster ordinance appears to be similar to the Canton Township ordinance, which Mr. Lehman previously talked about, and his recommendation would be the Mobile Home Commission Act and Rules do not have standards related to the proposed ordinance. Therefore, the Commission does not have the authority to approve or deny such an ordinance.

As you are also aware, several months ago the Bureau of Construction Codes issued a Technical Bulletin related to municipal ordinances that adopt and impose requirements for rental and registration ordinances. The major concern that Bureau staff had was that the ordinance may attempt to impose construction standards on existing manufactured housing that was built to the federal standard. A brief review by Mr. Lehman of one of the ordinances, found several of the ordinance referenced standards were basically construction related standards (a code), and not that for the maintenance of the structure. Mr. Lehman was also told by one of the Ordinance Review Committee members that the Committee had concerns related to a municipality's authority to enter the inside of the premises of a manufactured home, and they felt that was illegal. It has always been, and it is the position of this Bureau, that a registered inspector or a municipal inspector who has a permit, a report of an unsafe structure, or a legally adopted ordinance such as for the annual inspection or a bi-annual inspection for property maintenance certainly has legal authority to enter that home. There is nothing within the federal standard or within the Mobile Home Commission Act or Rules that disallows this.

The last point that Mr. Lehman made was that the Ordinance Review Committee and Bureau staff, in their meeting with the Attorney General's office, were advised that the 60-day ordinance review deadline in Section 7(1) of the Act could be statutorily construed to commence on the date the Commission votes to approve receipt of a manufactured housing community ordinance proposal, rather than on the date Bureau staff receives the higher standard. Counsel discussed the last sentence of this section, "the ordinance shall relate to a specific section of the code" to underscore the point that proposed standards not covered by the Act, Rules or DEQ MHC Standards are considered "higher" and, consequently, warrant written justification and Commission approval. This includes community inspections, which under Section 17(2) of the Act, localities cannot conduct "without reason to believe that this act, the code, or rules promulgated pursuant to this act are violated."

Mr. Lehman indicated that he asked Mr. Lockman to attend today's meeting, because we had some questions as to the reason for denial of the ordinances presented at the last meeting.

Mr. Lockman indicated he'd like to address this to see if he could help simplify the issues regarding the two denied ordinances. He stated that when Mr. Lehman brought the Commission action denying the two ordinances to his attention he asked, "What does the record reflect as to the Commission's reasons for denying the ordinances?" Mr. Lehman responded that the Commission determined, in its opinion, and the motion was made that the ordinances were "unreasonable, arbitrary, or not in the public interest." Mr. Lockman indicated this is the "statutory" language. "The Commission has the authority to deny ordinances when they are unreasonable, arbitrary, or not in the public interest. But if the matter gets appealed to circuit court, we would have to show the court what the basis of the reasoning was; and the minutes that Mr. Lehman showed him did not reflect why you said it was unreasonable, arbitrary, or not in the public interest. They may well be, but a court is not in the position to know that or know why; and the standard by which the court reviews your decision, is whether your decision is arbitrary capricious. Your decisions will be upheld in court, generally speaking, when you give reasons for them. The court is not supposed to substitute its judgment as to whether your reasons are right or wrong or good or bad, but that there must be some deliberative process shown in your minutes. So the importance of the Commission when it is going to vote to deny an ordinance, is to say why. I'm sure there was probably some discussion in that regard, but the record doesn't reflect it. If the matter gets appealed, the court system will look at that record."

Chairperson Blank asked if the Commission is at risk of the denials that were made to the two municipalities at the last meeting, being overturned somehow or should we be dealing with them again? Mr. Lehman indicated that both of the municipalities are in the process of bringing the ordinances back before the Commission for consideration.



Mr. Lockman stated that a proposed ordinance that comes before the Commission for approval, has to relate to some standard in the ordinance that is a standard in the Mobile Home Act or Rules. If it's not in the Mobile Home Act, then there is no reason for them to submit it to you, but maybe they don't want to take that chance. But it is still a determination that the Commission needs to make... the threshold determination. Typically a letter will come to staff. Staff will make a determination at that point whether the proposed ordinance relates to standards that are in the Mobile Home Act or it doesn't. Staff may decide yes it does, and then sends it on to the Commission. That doesn't bind the Commission. They may decide it doesn't. On the other hand, staff may decide the proposed ordinance doesn't relate to anything that's in the Mobile Home Act and writes back to the municipality and tells them the proposed ordinance is not going to be forwarded to the Commission. Mr. Lockman said he thinks that's the wrong way to go. He thinks that should still come to the Commission, because you want to make the final determination whether there is a standard in the Act or whether there is not a standard in the Act. Staff can make their recommendation, which he thinks is understood. Mr. Lockman indicated that there were some time problems with respect to the last ordinances that came before the Commission. They were received right before the meeting packets were sent out, and no one really had a chance to look at them. But you're operating under the provision in the statute that states, "If the commission does not approve or disapprove the proposed standard within 60 days after it is filed with the commission, the standard shall be considered approved unless..." So what we thought we could do when an ordinance comes in, is have Bureau staff write back to the municipality saying that this ordinance will be filed with the Commission as of such and such a date (i.e., whatever the next commission meeting date is that allows adequate review time). So that would be the record that it is filed with the Commission. The Commission will then have 60 days after that to do something with it.

Commissioner Hagey indicated that he is a member of the Ordinance Review Committee, and when they receive an ordinance to review they only receive sections of the ordinance that refer to other sections of the ordinance that they did not get copies of. We may be looking at a very thin line where maybe the ordinance involves this Commission and maybe it doesn't, because they might not know what a certain section or subsection is because it's not included in their packet. That's one of the issues that hinders the work of the Ordinance Review Committee. He thinks that the municipalities need to be informed that they need to submit their entire ordinance if reference is made in the sections that we're being asked to review, to other sections of that ordinance. Mr. Lockman agreed this was a good point made. Bureau staff should then, after reading and determining that reference is made to other chapters in the municipality's ordinance, send a letter stating that before it can be filed with the Commission they need to provide the other referenced sections, etc.

**Ordinance Review Committee**

Monroe Township (Monroe County)

No one was present to represent the township.

Mr. DeGroat reviewed the request.

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Fowlie to accept the Committee's recommendation for approval of Articles 2, 5, and portions of Articles 6 and 8, and take no action on Articles 3, 11 and 13 because they are insufficient clear to evaluate. **MOTION CARRIED.**

\*\*\*\*Addendum 5

City of Inkster (Wayne County)

Mr. Cole and Mr. Welton were present to represent the city.

Mr. DeGroat reviewed the request.

After a lengthy discussion, a **MOTION** was made by Commissioner Hagey and supported by Commissioner Blackburne to take no action today, and to table this agenda item until the October 15, 2008 Commission meeting. The City of Inkster had no objection to this. **MOTION CARRIED.**

Mr. Welton asked if the Commission is treating their rental ordinance and blight ordinance as one item, because the blight ordinance was brought to the Commission because they would like to handle these internally instead of ticketing. Chairperson Blank indicated that it was determined at the last Commission meeting that the local municipality has the right and the authority to administer a blight ordinance within a manufactured housing community.

Allendale Township (Ottawa County)

No one was present to represent the township.

Mr. DeGroat reviewed the request.

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Abbey to table this agenda item until the October 15, 2008 Commission meeting because additional information is needed in order to evaluate the ordinance. **MOTION CARRIED.**

City of Holland (Allegan & Ottawa Counties)

No one was present to represent the city.

Mr. DeGroat reviewed the request.

A **MOTION** was made by Commissioner Ruggirello and supported by Commissioner Raukar to table this agenda item until the October 15, 2008 Commission meeting because additional information is needed in order to evaluate the ordinance. **MOTION CARRIED.**

9. **OLD BUSINESS**

**Canton Township Ordinance Update**

Sgt. Pomorski had been present at today's meeting, but had to leave before the Commission got to this agenda item.

Mr. Lehman indicated that he sent a letter to Canton Township that is included in today's meeting packet (page 192), and they are comfortable with it after discussing with Mr. Lehman.

10. **NEW BUSINESS**

**Ordinance Review Committee Appointments**

Mr. Lehman indicated that the decision was made, rather than forming a separate ad hoc committee to deal with these rental ordinances, to appoint some new members to the Ordinance Review Committee (ORC) in addition to the current members. After the last Commission meeting, Mr. DeGroat tried to contact all of the current ORC members to see who wished to remain on the committee, and was unable to contact Al Maestri.

After a short discussion, a **MOTION** was made by Commissioner Raukar and supported by Commissioner Elliott to remove Al Maestri from the Ordinance Review Committee. **MOTION CARRIED.**

Chairperson Blank indicated that at the last Commission meeting, Cyndie Drago requested to be considered for appointment to the ORC. She is a resident of Holiday Estates in Canton Township and is the president of their homeowners association. A **MOTION** was made by Commissioner Elliott and supported by Commissioner Blackburne to appoint Cyndie Drago to the Ordinance Review Committee. **MOTION CARRIED.**

Chairperson Blank indicated that since Kevin Gillette is no longer on the Commission, and he is the current chairman of the Ordinance Review Committee, that a new chairman would need to be appointed. A **MOTION** was made by Commissioner Ruggirello and supported by Commissioner Elliott to appoint Commissioner Hagey as the chairman of the Ordinance Review Committee. **MOTION CARRIED.**

Commissioner Elliott suggested again that we consider asking former State Representative Ruth Ann Jamnick to participate on the Ordinance Review Committee, since she has worked on manufactured housing issues in the past and is very knowledgeable. Chairperson Blank indicated that if Ruth Ann Jamnick wants to be involved in the ORC, that maybe she could express that to the Commission in writing.

Commissioner Elliott indicated that she would like to be a member of the Ordinance Review Committee as well. A **MOTION** was made by Commissioner Ruggirello and supported by Commissioner Abbey to appoint Commissioner Elliott to the Ordinance Review Committee. **MOTION CARRIED.**

Mr. Lehman indicated that he also plans on attending the ORC meetings as well, as long as he doesn't have any schedule conflicts, to help with any needed technical advice regarding the Construction Code Act, etc. He is also requesting the involvement of Mr. Lockman at these meetings for legal advice, at least for the next few meetings

#### **Report on Annual Inspections of Manufactured Home Communities**

Mr. Lehman reported that Bureau inspectors have completed 83% of the annual inspections for 2008. He noted that the percentage of manufactured home communities without violations is 59%; 41% had at least one violation. There are approximately 196 (17%) of the annual inspections yet to be completed.

#### **License Approval**

After discussion, a **MOTION** was made by Commissioner Elliott and supported by Commissioner Hennard to approve all pending licenses. **MOTION CARRIED.**

\*\*\*\*Addendum 6

### **11. EXECUTIVE DIRECTOR'S REPORT**

Mr. Lehman reported that the 2006 Michigan Building, Residential and Rehabilitation Codes went into effect on August 1, 2008.

A public forum was held yesterday on the new Uniform Energy Code, and it went quite well. There was only one person with negative comments.

Mr. Lehman also announced that the revised Manufactured Housing General Rules go into effect on September 2, 2008.

**12. OTHER BUSINESS**

There was no other business to discuss.

**13. ADJOURNMENT**

At 1:37 p.m., a **MOTION** was made by Commissioner Elliott and supported by Commissioner Abbey to adjourn the meeting. **MOTION CARRIED.**



STATE OF MICHIGAN

DEPARTMENT OF LABOR & ECONOMIC GROWTH  
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**DEPARTMENT OF LABOR AND ECONOMIC GROWTH**  
**BUREAU OF CONSTRUCTION CODES**  
2501 Woodlake Circle, Conference Room #3  
Okemos, Michigan

**AGENDA**

August 13, 2008  
10:00 a.m.

**APPROVED**

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3. Approval of Minutes — June 11, 2008 (pages 3-20)
4. Manufactured Housing Commission Fees Financial Report (pages 21)
5. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]

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6. Imposition of Penalties
  - a. Pleasant Lake Mobile Home Community and Peter Kostishak, Resident Agent and Operator (pages 22-53)
7. Variances
  - a. Village on the Lake, LLC (Oakland County) (pages 54-68)
8. Committee Reports
  - a. Executive Director's Ordinance Report
  - b. Ordinance Review Committee (pages 69-191)
9. Old Business
  - a. Canton Township Ordinance Update (page 192)
10. New Business
  - a. Ordinance Review Committee Appointments
  - b. Report on Annual Inspections of Manufactured Home Communities
  - c. License Approval (page 193)
11. Executive Director's Report
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BUREAU OF CONSTRUCTION CODES  
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Okemos, Michigan

**MINUTES**  
June 11, 2008  
10:00 a.m.

**APPROVED**

**MEMBERS PRESENT**

Mr. Ronald Blank, Chairperson  
Ms. Brenda Abbey  
Ms. Betty Blackburne  
Ms. Kathy Edwards-Johnson  
Ms. Carole Elliott

Ms. Mary Fowlie  
Mr. Kevin Gillette  
Mr. Mark Raukar  
Mr. Jerome Ruggirello

**MEMBERS ABSENT**

Mr. David Hagey – Excused

**MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING**

Mr. Larry Lehman, Chief, Building Division, Bureau of Construction Codes (BCC)  
Mr. Charles Curtis, Assistant Chief, Building Division, BCC  
Mrs. Brenda Caron, Executive Secretary, Building Division, BCC  
Mr. Scott Fisher, Director, Office of Local Government & Consumer Services (OLGCS), BCC  
Mr. Kevin DeGroat, Regulation Specialist, BCC  
Mr. Bill DeTemple, Analyst, OLGCS, BCC

**OTHERS IN ATTENDANCE**

Mr. Greg Davidson, Greg's Maintenance	Mr. Ken Peterson, South Lansing Homeowners Assn.
Mr. Tim DeWitt, MMHA	Sgt. Rick Pomorski, Canton Police Department
Ms. Cyndie Drago, Holiday Estates Homeowners Assn.	Mr. Lyn Wellhausen, Rudgate Communities
Sgt. Debra Newsome, Canton Police Department	

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## Signatures

Drafted by: Brenda S. Caron Date: June 20, 2008  
Brenda S. Caron, Secretary  
Building Division

Approved by the Manufactured Housing Commission on: August 13, 2008

  
Ronald A. Blank, Chairperson  
Manufactured Housing Commission

**MANUFACTURED HOUSING COMMISSION  
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle  
Okemos, Michigan 48864

In the Matter of:

BCC Complaint No. AIR 07-0937

Peter Kostishak, Operator  
Pleasant Lake Mobile Home Community  
11711 Bunkerhill Road  
Pleasant Lake, Michigan 49272

(Community Address)

Peter Kostishak, Resident Agent and Operator  
Pleasant Lake Mobile Home Community  
2232 S. Main #463  
Ann Arbor, Michigan 48103-6938

(Community Mailing Address)

Manufactured Housing Community License No. P000111

(Respondents)

\_\_\_\_\_ /

**FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION  
TO IMPOSE CIVIL FINE,  
TO IMPOSE REVOCATION OF LICENSE,  
AND TO IMPOSE ORDER OF RESTITUTION  
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under

PETER KOSTISHAK, OPERATOR  
PLEASANT LAKE MOBILE HOME COMMUNITY  
FINAL ORDER

the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act (hereafter the Order Finding Facts and Violations) on July 23, 2008, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting, was served on the Respondents by certified and regular mail on August 1, 2008, at 11711 Bunkerhill Road, Pleasant Lake, Michigan 49272 and PMB #463, 2232 South Main Street, Ann Arbor, Michigan 48103, on July 30, 2008; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on August 13, 2008, reviewed the Order Finding Facts and Violations, and Proposal for Decision, which are appended hereto and incorporated herein by reference (*Exhibits A and B, respectively*); and

WHEREAS, the Manufactured Housing Commission voted unanimously to impose the following penalties:

IT IS ORDERED, pursuant to Section 43(1) (g) of the Act, that RESPONDENTS SHALL, within 30 days of the Commission's issuance of this Order:

- a Remit to the Bureau a civil fine in the amount of Two Thousand Dollars (\$2,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.

PETER KOSTISHAK, OPERATOR  
PLEASANT LAKE MOBILE HOME COMMUNITY  
FINAL ORDER

Respondents' failure to comply with Item (a) above shall result in imposition of the following additional penalties 60 days after the issuance of this Final Order:

- b. Revocation of Respondents' Manufactured Housing Community License Number P000111.
- c. Revocation of Respondents' Manufactured Housing Community License Number P000111 shall automatically require the Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the third paragraph on page seven of the November 1, 2007, Order to Show Cause
- d. Revocation of Respondents' Manufactured Housing Community License Number P000111 should automatically result in a request by the Manufactured Housing Commission that a receiver be appointed.
- e. Respondents shall make full restitution to all existing Pleasant Lake Mobile Home Community residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed.

IT IS FURTHER ORDERED, pursuant to Section 38(2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act or Rules or an Order issued thereunder, that the Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(c) of the Act, that should the Respondents qualify for and obtain a Manufactured Housing Community License after the effective date of this Final Order, the LICENSE ISSUED SHALL CONTAIN THE

PETER KOSTISHAK, OPERATOR  
PLEASANT LAKE MOBILE HOME COMMUNITY  
FINAL ORDER

LIMITATION THAT IT WILL AUTOMATICALLY BE REVOKED **IF** THE RESPONDENTS FAIL TO COMPLY WITH THE ACT. Revocation of the license shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed, if deemed necessary by the Department.

IT IS FURTHER ORDERED, pursuant to Section 43(1) (h) of the Act, that if Respondents' Manufactured Housing Community License is revoked, under the limitation described in the preceding paragraph, the RESPONDENTS SHALL MAKE FULL RESTITUTION to all customers to whom the Respondents have not delivered contractually stipulated services, of One Hundred Percent (100%) of the value of those services after revocation of the license.

IT IS FURTHER ORDERED that this Final Order is effective immediately

ANY COMMUNICATION regarding this Final Order should be addressed to the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, Building Division, Attention: Larry Lehman, Chief; P O. Box 30254, Lansing, Michigan 48909

MICHIGAN DEPARTMENT OF  
LABOR & ECONOMIC GROWTH

  
\_\_\_\_\_  
MANUFACTURED HOUSING COMMISSION  
Ronald A. Blank, Chairperson

Dated: 8/13/08

PETER KOSTISHAK, OPERATOR  
PLEASANT LAKE MOBILE HOME COMMUNITY  
FINAL ORDER

A Copy of this Order was sent by Certified Mail to:

Peter Kostishak, Operator  
Pleasant Lake Mobile Home Community  
11711 Bunkerhill Road  
Pleasant Lake, Michigan 49272

(Community Address)

Peter Kostishak, Resident Agent and Operator  
Pleasant Lake Mobile Home Community  
2232 S. Main #463  
Ann Arbor, Michigan 48103-6938

(Community Mailing Address)

A Copy of this Order was sent by Interdepartmental Mail to:

Larry Lehman, Chief  
Building Division  
Bureau of Construction Codes  
P O. Box 30254  
Lansing, Michigan 48909

Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Deborah Ostrander  
Michigan Department of Environmental Quality  
Water Bureau / Kalamazoo District Office  
7953 Adobe Road  
Kalamazoo, Michigan 49009

**MANUFACTURED HOUSING COMMISSION**  
**BUREAU OF CONSTRUCTION CODES**  
2501 Woodlake Circle  
Okemos, Michigan 48864

In the Matter of:

**VILLAGE ON THE LAKE, LLC**  
Oakland County

Mr Joseph S Ajlouny, Jr.  
Village on the Lake, LLC  
29205 Greening Blvd  
Farmington Hills, MI 48334

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**ORDER OF THE MANUFACTURED HOUSING COMMISSION**  
**VARIANCE TO MANUFACTURED HOUSING DEVELOPMENT**  
**CONSTRUCTION STANDARDS**

Pursuant to Section 18(5), 1987 PA 96, as amended, MCL 125 2318(5), your May 6, 2008,  
request for a variance to Rule 947a, R 125 1947a, is DENIED, as follows:

<u>SITES</u>	<u>EXISTING DISTANCE</u>	<u>DISTANCE REQUIRED</u>
<b>Section 3</b>		
3. 6 & 7	42'' (-6'')	4 feet [48" pathway]
4. 7 & 8	44'' (-4'')	
5. 10 & 11	<4'	
6. 13 & 14	<4'	
7. 22 & 23	<4'	
8. 23 & 24	<4'	
9. 24 & 25	<4'	
10. 25 & 26	<4' 16'' (-32'')	
11. 26 & 27	<4' 34'' (-14')	
13. 29 & 30	<4'	
14. 31 & 32	<4'	
16. 12 & bldg	<4'	

ORDER OF THE MANUFACTURED HOUSING COMMISSION  
VILLAGE ON THE LAKE, LLC  
PAGE TWO

Pursuant to Section 18(5), 1987 PA 96, as amended, MCL 125 2318(5), your May 6, 2008, request for a variance to R125.1947a, Rule 947a, is APPROVED, as follows:

<u>SITES</u>	<u>EXISTING DISTANCE</u>	<u>DISTANCE REQUIRED</u>
<b>Section 4</b>		
1. 20 & fence	25" (-11")	3 feet [36"] (Home to boundary/fence)
2. 23	29" (-7")	
3. 24	29" (-7")	
4. 25	18" (-18")	
5. 26	16" (-20")	
6. 27	21" (-15")	
7. 28	12" (-24")	
8. 31	19" (-17")	
9. 32	28" (-8")	
10. 33	22" (-14")	
11. 34	1" (-35")	
12. 11 & 12 ends	12" (-24")	
13. 31 structure & 32	5' 4" (-4' 8")	10 feet (home-to-home spacing)

- 1 This approval is subject to the following conditions:

That Village on the Lake, LLC removes any wood fencing abutting the aforementioned sites along the community boundary and installs no other homes or structures which violate minimum setbacks in this community

  
\_\_\_\_\_  
MANUFACTURED HOUSING COMMISSION  
Ronald A. Blank, Chairperson

August 13, 2008



**MANUFACTURED HOUSING COMMISSION  
BUREAU OF CONSTRUCTION CODES**  
2501 Woodlake Circle  
Okemos, Michigan 48864

In the Matter of:

**MONROE TOWNSHIP**  
Monroe County

Ms. Donna Krips  
McKenna Associates, Inc.  
235 East Main Street, Suite 105  
Northville, Michigan 48067

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**ORDER OF THE MANUFACTURED HOUSING COMMISSION  
TO CONDITIONALLY APPROVE PROPOSED  
LOCAL ORDINANCE PURSUANT TO  
THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Manufactured Housing Commission (hereafter the Commission), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24 201 et seq.; MSA 3 560(101) et seq.; Executive Order 1996-2; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125 2301 et seq.; MSA 19 855(101) et seq. (hereafter the Act); and the rules promulgated under the Act (hereafter the Rules), received a proposed local ordinance higher standard from Monroe Township on June 23, 2008; and

WHEREAS, the Commission reviewed the proposed local ordinance higher standard at its meeting on August 13, 2008; and

A-5  
25

IT IS THEREFORE ORDERED that the proposed local ordinance higher standard submitted by the local government on June 17, 2008, be and hereby is APPROVED as amended: Articles 2, 5, and the second paragraph of Article 6, Section 6.106, pp. 1 and 2, are APPROVED. Article 8, Sections 8.136 (A) through (F), pp. 3 and 4, are APPROVED.

WHEREAS, pursuant to Section 7(1) of the Act, MCL 125.2307(1), the Commission finds the five unrevised sections of the proposed local ordinance standards submitted by the local government are insufficient clear to evaluate:

Section 6.106 (C), pp. 2 and 3. The Commission does not understand the broadly inclusive clause, “all applicable standards and requirements set forth in this Ordinance,” as referenced in the provision’s first sentence. The specific relevance of these “standards and requirements” [e.g., Subsection (C) (4)—**especially, and including Articles 3, 11 and 13**] to manufactured housing communities has neither been *precisely* justified, per Section 7 of the Act and Rule R125.1120, nor “related to a specific section of the [Mobile Home Commission Act or] Code,” as required by the last sentence of Section 7 (1) of the Act.

Sections 8.136 (G) through (W), pp. 4 through 7, as written. See the analysis of Section 6.106 (C) for explanation. Clarification of the aforementioned issues may provide the Commission with the added justification needed for evaluation.

Order to Conditionally Approve  
Monroe Township  
Page 3

ANY COMMUNICATIONS regarding this Order should be addressed to the Michigan Department of Labor and Economic Growth, Bureau of Construction Codes, Office of Local Government & Consumer Services, Attention: Kevin G. DeGroat, P O. Box 30254, Lansing, Michigan 48909-8203



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MANUFACTURED HOUSING COMMISSION  
Ronald A. Blank, Chairperson

August 13, 2008

**PENDING LICENSE APPROVALS**  
**AUGUST 13, 2008 – MANUFACTURED HOUSING COMMISSION**

INSTALLER/SERVICER	RETAILER
John Maschino Maschino Mobile Home Movers 4311 Rumsey Road Pittsford, MI 49271	Mill Pond Company LLC d/b/a Mill Pond Village Mobile Home Park 1500 Old Mill Lane Lansing, MI 48911 Peter Helman, Operator
Paul W. Lamorandier MHPS 5350 Crimson Lane Kalamazoo, MI 49009	A.W. Partners, LLC 1993 Arbor Woods Boulevard Ypsilanti, MI 48198 Steven J. Fisher, Operator
Climate Guard Inc. 106 E. Third Street Imlay City, MI 48444 Stephen M. Sullivan, Operator	Traverse Realty & Development LLC d/b/a Better Living Homes of Traverse City 501 Woodcreek Boulevard Traverse City, MI 49686 Richard C. Hermann, Operator
Country Place Mobile Home Sales, Excavating, Trucking LLC 4151 E. Jordan Road Mt Pleasant, MI 48858 Robert L. Didur, Operator	Sunrise Homes Company, Inc. 10667 Scarlet Oak Drive Ypsilanti, MI 48198 Karen S. Lutz, Operator
	Lakefront Estates Sales and Leasing, LLC 385 W. Brown Street Beaverton, MI 48612 Stacy O. Buss, Operator

**ADDITIONAL PENDING LICENSE APPROVALS  
AUGUST 13, 2008 – MANUFACTURED HOUSING COMMISSION**

<b>INSTALLER/SERVICER</b>	<b>RETAILER</b>
Scott N. Gracz Mobile Manor Renovations 22 N. Wilder Lapeer, MI 48446	Capital Home Sales, Inc. 23680 Sandpiper Drive Clinton Twp., MI 48036 Richard J. Klarchek, Operator
Friends Construction LLC 2680 Diane Marie Ct. Waterford, MI 48329 Danny Friend, Operator	Capital Home Sales, Inc. 26131 Dequindre Madison Heights, MI 48071 Richard J. Klarchek, Operator
David C. Satkowski 344 Basket Branch Oxford, MI 48371	Homes 4-U, LLC 8895 24 <sup>th</sup> Avenue Jenison, MI 49428 Michael Greer, Operator
Denis Droope Great Lakes Plumbing Doctor 1570 Fawn Lake Dr. West Branch, MI 48661	
SLC Meter Service Inc. 10375 Dixie Highway Davisburg, MI 48350 Rebecca M. Marsh, Operator	
Rick J. Jach 501 Woodcreek Boulevard Traverse City, MI 49686	

## PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Notice of Manufactured Housing Commission Meeting and Findings Of Fact, Conclusions Of Law, Order To Cease And Desist, And Recommendation To Impose Penalties Pursuant To The Mobile Home Commission Act** was served upon all parties in this matter by Inter-Departmental mail to those parties employed by the State of Michigan or by certified mail, return receipt requested, and first class mail at their respective addresses as disclosed by the file on this 19<sup>th</sup> day of August, 2008.

Superior Manufactured Homes, Inc.  
10125 Telegraph Road  
Carleton, MI 48117


Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Road  
Carleton, MI 48117-9145

Randy and Melinda LaBoe  
17346 Oak Grove  
Romulus, MI 48174

Larry Lehman, Chief  
Building Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, MI 48909

Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, MI 48909

Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, MI 48909



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Brenda S. Caron, Executive Secretary  
Building Division  
Bureau of Construction Codes

**STATE OF MICHIGAN  
DEPARTMENT OF LABOR AND ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

BCC Complaint No. D 08-0303

(Operator's Address)

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

Manufactured Housing Retailer License No. D002316

(Respondents)

\_\_\_\_\_ /

Issued and entered  
this 16<sup>th</sup> day of August, 2008  
by Scott Fisher, Director  
Office of Local Government and Consumer Services

**FINDINGS OF FACT, CONCLUSIONS OF LAW,  
ORDER TO CEASE AND DESIST, AND  
RECOMMENDATION TO IMPOSE PENALTIES  
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24 201 et seq.; MSA 3.560 (101) et seq.; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855 (101) et seq. (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued an Order To Show Cause Why An Order Revoking

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
FINDINGS OF FACT

Manufactured Housing Retailer License; Imposing A Civil Fine; Requiring Restitution; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act (hereafter the Order to Show Cause) on June 25, 2008. A copy of the Order to Show Cause is attached hereto (*Exhibit A*) and is incorporated herein by reference; and

WHEREAS, the Order to Show Cause was sent by certified mail to the Respondents on June 27, 2008, at the addresses listed on page 8 of that Order. The Bureau, on June 27, 2008, also served a copy of the Order to Show Cause upon the Respondents by serving the Manufactured Housing Commission via the Bureau with a copy of the Order to Show Cause, pursuant to Section 35 of the Mobile Home Commission Act; and

WHEREAS, more than 15 days have elapsed since issuance of the Order to Show Cause and the Respondents have failed to provide within that time and, to date, evidence establishing Respondents' compliance with the Order. A certified package of the two the Bureau addressed and mailed to Respondents containing copies of these Orders was delivered by the U.S. Postal Service to the Respondents' address at 10673 Grafton Road, Carleton, Michigan 48117 and was signed for by a Margaret Dixon on June 28, 2008; and

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with purposes fairly intended by the policy and provisions of the Act; and, therefore, pursuant to Section 39(1) of the Act, the Bureau makes the following findings of fact and conclusions of law:



BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
FINDINGS OF FACT

**FINDINGS OF FACT**

1. Superior Manufactured Homes, Inc., (Respondents) is a corporation organized and existing under the laws of the State of Michigan. The address for Respondents' Operator is 10673 Grafton Rd., Carleton, Michigan 48117-9145. Beth A. Geise is the President of Superior Manufactured Homes, Inc.

2. Respondents were engaged in the business of owning and operating a manufactured housing retail location at 10125 Telegraph Rd., Carleton, Michigan 48117, and held Manufactured Housing Retailer License No. D002316 for the 2005-2006 licensing years. Respondents' 2006-2009 license renewal application was filed; however, the license was not issued because bond cancellation notices that were received on September 7, 2006, cancelled the retailer's bonds on December 12, 2006. To date, Respondents have not completed their license renewal application for the 2006-2009 licensing years by replacing their bonds, and no termination statement has been filed. Beth A. Geise is the Operator of Superior Manufactured Homes, Inc.

3. Items 3 through 6 on pages 2 through 4 of the attached Order to Show Cause detail the Bureau's efforts to obtain Respondents' compliance with timely response requirements discussed in the following first Conclusion of Law in *Item 6* below. Items 10 through 18 of that Order chronicle the Bureau's attempts to secure Respondents' compliance with requirements to file title applications, provide proper contractual language on retail Purchase Agreements, and

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
FINDINGS OF FACT

cease non-bonded sales activity, details of which are outlined in the succeeding three Findings of Fact and Conclusions of Law.

4. The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the licensee does not make the required statement the department may issue an order directing a response by the licensee.

5. On April 14, 2008, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act was sent to Respondents. Respondents failed to file a response to the request for information, as well as to a subsequent May 9, 2008, Statement of Intent and a June 25, 2008, Order to Show Cause, as discussed in Items 3 through 6 of that attached Order.

**CONCLUSIONS OF LAW**

6. Respondents' failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (8) and Sections 36 and 38 (1) (b) of the Act.

**FINDINGS OF FACT**

7. Respondents sold the following manufactured home to the following purchaser, on or about the date indicated:

<b>PURCHASER &amp; MOBILE HOME I.D. #</b>	<b>PRICE</b>	<b>SALES TAX</b>	<b>TITLE FEE</b>
<b>Randy &amp; Melinda LaBoe</b> 1973 Holly Park 6016329	\$3,000 00	\$180 00	\$90.00

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
FINDINGS OF FACT

8. At the time of the sale, Respondents failed to prepare and file with the Department or its authorized representative, the Application for Certificate of Manufactured Home Ownership.

**CONCLUSIONS OF LAW**

9. Respondents' failure to prepare and file the Application for Certificate of Manufactured Home Ownership (Form BCC-944) is a violation of Rules 302 (1) and 402 (2) and Sections 30a (1) and 38 (1) (b) of the Act.

**FINDINGS OF FACT**

10. The front of each purchase agreement shall contain the following Seven Day Binding Date Statement in not less than 8-point, boldface, all caps type:

"Seven days after the purchaser receives a legible copy of the executed purchase agreement, or if any time within the 7 days an application for a certificate of manufactured home ownership is fully executed, the sale is final and the retailer is not obligated to refund the consumer deposit if the purchaser subsequently cancels the agreement. If the purchaser elects to cancel the purchase agreement within the 7 day limit and an application for a certificate of manufactured home ownership has not been fully executed, the purchaser shall notify the retailer in writing by certified mail postmarked before the end of the seventh day to be eligible for full refund of the consumer deposit."

11. The purchase agreement between the Respondents and Complainants Randy and Melinda LaBoe does not contain the correct Seven Day Binding Date Statement.

**CONCLUSIONS OF LAW**

12. Respondents' failure to include the correct binding date statement on the purchase agreement is a violation of Rule 403 (13) and Section 38 (1) (b) of the Act.

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
FINDINGS OF FACT

**FINDINGS OF FACT**

13. A surety bond of \$10,000.00 or a deposit of \$10,000.00 in cash or securities, made payable to the "State of Michigan," on a form prescribed by the department, is required for each location. If a surety bond is not in effect, then the retailer shall stop all sales activity.

14. Respondents' surety bond expired on December 12, 2006, and the purchase agreement for the manufactured home sold to Randy and Melinda LaBoe was executed on February 28, 2007.

**CONCLUSIONS OF LAW**

15. Respondents' failure to stop all sales activity after the surety bond is cancelled is a violation of Rule 214f (2) and Sections 22 and 38 (1) (b) of the Act.

IT IS HEREBY FOUND that Respondents engaged in acts or practices constituting violations of the Act, Rules or an Order issued under the Act.

IT IS HEREBY ORDERED that this Findings of Fact Order shall be forwarded to the Manufactured Housing Commission for the consideration of the imposition of any Penalty as may be provided in Section 43 (1) of the Act and issuance of a Final Order in accordance with Section 85 of the Administrative Procedures Act of 1969.

IT IS HEREBY RECOMMENDED that the Manufactured Housing Commission impose the following penalties:

1. Within sixty (60) days from the date of the Final Order, Respondents shall complete the following actions:

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC  
FINDINGS OF FACT

- a. Respondents must submit to the Bureau documentation confirming that the violations cited in Counts II through IV of the Order to Show Cause issued on June 25, 2008, have been corrected to the Bureau's satisfaction.
  - b. Remit a civil fine in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.
2. Respondents' failure to comply with Item 1 above shall result in imposition of the following additional penalties:
- a. In addition to the civil fine in the amount of Three Thousand Dollars (\$3,000.00) as prescribed in Item 1 (b) above, a civil fine in the amount of Seven Thousand Dollars (\$7,000.00).
  - b. Revocation of Respondents' Manufactured Housing Retailer License Number D002316
  - c. Revocation of Respondents' Manufactured Housing Retailer License Number D002316 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the last paragraph on page 8 of the June 25, 2008, Order to Show Cause
  - d. Revocation of Respondents' Manufactured Housing Retailer License No. D002316 should automatically result in Respondents being ordered to make full restitution to any of Respondents' customers that have been harmed by Respondents' failure to comply with the Act and Rules, and/or harmed by Respondents' failure to fulfill any outstanding business transactions prior to Respondents ceasing their manufactured housing retailing business operations.

IT IS FURTHER ORDERED, pursuant to Section 38 (2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act and Rules or an

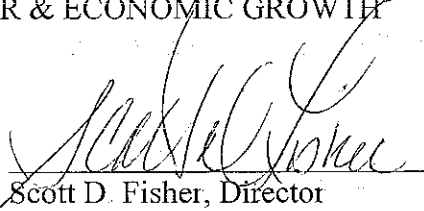
BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
FINDINGS OF FACT

Order issued thereunder, that Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

ANY COMMUNICATION regarding this Findings of Fact Order should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF  
LABOR & ECONOMIC GROWTH

By:

  
Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
P.O. Box 30254  
Lansing, Michigan 48909

Dated: 02/12/08  
Lansing, Michigan

A Copy of this Findings of Fact Order was sent by Certified and First Class Mail to:

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

(Operator's Address)

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
FINDINGS OF FACT

Randy and Melinda LaBoe  
17346 Oak Grove  
Romulus, Michigan 48174

(Consumer Complainants)

A Copy of this Findings of Fact Order was sent by Interdepartmental Mail to:

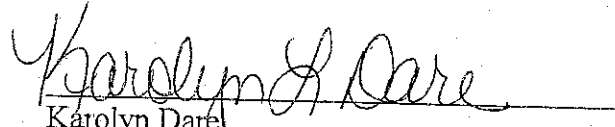
Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Scott D. Fisher, Director  
Office of Local Government and Consumer Services  
P.O. Box 30254  
Lansing, Michigan 48909

Larry Lehman, Chief  
Building Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Order To Show Cause Why An Order Revoking Manufactured Housing Retailer License; Imposing a Civil Fine; Requiring Restitution; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act** was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by mailing same to them via certified mail, return receipt requested, at their respective addresses as disclosed by the file on the 27th day of June, 2008.

  
Carolyn Dare  
Bureau of Construction Codes

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

(Operator's Address)

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

Randy and Melinda LaBoe  
17346 Oak Grove  
Romulus, Michigan 48174

(Consumer Complainants)

Larry Lehman, Chief  
Building Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909



Scott D. Fisher, Director  
Office of Local Government and Consumer Services  
Bureau of Construction Codes  
P. O. Box 30254  
Lansing, Michigan 48909

STATE OF MICHIGAN  
DEPARTMENT OF LABOR AND ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES

In the Matter of:

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

BCC Complaint No D 08-0303

(Operator's Address)

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

Manufactured Housing Retailer License No. D002316

(Respondents)

\_\_\_\_\_ /

Issued and entered  
this 25<sup>th</sup> day of June, 2008  
by Scott Fisher, Director  
Office of Local Government and Consumer Services

**ORDER TO SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED  
HOUSING RETAILER LICENSE; IMPOSING A CIVIL FINE; REQUIRING  
RESTITUTION; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED  
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560 (101) et seq, the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855 (101) et seq (hereafter the Act), and the rules promulgated under the Act (hereafter the Rules), says:

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

**FACTS COMMON TO ALL COUNTS**

1. Superior Manufactured Homes, Inc., (Respondents) is a corporation organized and existing under the laws of the State of Michigan. The address for Respondents' Operator is 10673 Grafton Rd., Carleton, Michigan 48117-9145. Beth A. Geise is the President of Superior Manufactured Homes, Inc.

2. Respondents were engaged in the business of owning and operating a manufactured housing retail location at 10125 Telegraph Rd., Carleton, Michigan 48117, and held Manufactured Housing Retailer License No. D002316 for the 2005-2006 licensing years. Respondents' 2006-2009 license renewal application was filed; however, the license was not issued because bond cancellation notices that were received on September 7, 2006, cancelled the retailer's bonds on December 12, 2006. To date, Respondents have not completed their license renewal application for the 2006-2009 licensing years by replacing their bonds, and no termination statement has been filed. Beth A. Geise is the Operator of Superior Manufactured Homes, Inc.

3. On February 21, 2008, the Bureau of Construction Codes, Office of Local Government and Consumer Services received a complaint from Randy and Melinda LaBoe. The information received with the complaint disclosed that Respondents sold a manufactured home to Mr. and Mrs. LaBoe and never filed the Application for Certificate of Manufactured Home Ownership (Title Application).

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

4. On February 28, and March 18, 2008, Bill DeTemple, Analyst, Office of Local Government and Consumer Services, sent 10-business day and 5-business day deadline response letters, respectively, to the Respondents requiring them to file an Application For Certificate Of Manufactured Home Ownership (Title Application) for the LaBoe home and send the Bureau a copy of the validated application as proof of compliance.

5. After failing to receive a written response to these letters, the Bureau sent the Respondents an April 14, 2008, Order to Answer a Request for Information directing a response to Mr. DeTemple's February 28 and March 18, 2008, letters.

6. After failing to obtain Respondents' compliance, the Bureau issued a Statement of Intent to Commence Proceedings and Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Mobile Home Commission Act (hereafter the Statement of Intent). The Bureau issued and sent this Statement of Intent, dated May 9, 2008, to the Respondents by certified mail on May 13, 2008. A copy of the Statement of Intent was also delivered to the Bureau's Building Division and licensing agent. The Statement of Intent established the Respondents' right to provide documentation of full compliance or Respondents' desire to attend a scheduled informal settlement conference at the Bureau, within 15 days of receipt. An unopened Bureau envelope stamped "Final Notice, Unclaimed" with an unsigned attached certified mail card addressed to the Respondents at 10125 Telegraph Road, Carleton, Michigan 48117, was received by the Bureau on June 3, 2008.

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

Moreover, the Respondents failed to attend the June 4, 2008, 10:00 a.m., compliance conference proposed in the Statement and have, to date, failed to provide the Bureau evidence that the following violations have been corrected:

**COUNT I**

**FAILURE TO RESPOND TO AN ORDER TO ANSWER A  
REQUEST FOR INFORMATION**

7 The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the licensee does not make the required statement the department may issue an order directing a response by the licensee.

8 On April 14, 2008, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act, which is attached as **Exhibit A**, was sent to Respondents. Respondents failed to file a response to the request for information.

9 Respondents' failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (8) and Sections 36 and 38(1) (b) of the Act.

**COUNT II**

**FAILURE TO PREPARE AND FILE THE APPLICATION FOR  
CERTIFICATE OF MANUFACTURED HOME OWNERSHIP  
(FORM BCC-944)**

10 Respondents sold the following manufactured home to the following purchaser, on or about the date indicated:

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

PURCHASER & MOBILE HOME I.D. #	PRICE	SALES TAX	TITLE FEE	CLOSING DATE
Randy & Melinda LaBoe 1973 Holly Park 6016329	\$3,000.00	\$180.00	\$90.00	02-28-2007

11. At the time of the sale, Respondents failed to prepare and file with the Department or its authorized representative, the Application for Certificate of Manufactured Home Ownership.

12. Respondents' failure to prepare and file the Application for Certificate of Manufactured Home Ownership (Form BCC-944) is a violation of Rules 302(1) and 402(2) and Sections 30a(1) and 38(1)(b) of the Act.

### COUNT III

#### FAILURE TO INCLUDE THE CORRECT BINDING DATE STATEMENT ON THE PURCHASE AGREEMENT

13. The front of each purchase agreement shall contain the following Seven Day Binding Date Statement in not less than 8-point, boldface, all caps type:

"Seven days after the purchaser receives a legible copy of the executed purchase agreement, or if any time within the 7 days an application for a certificate of manufactured home ownership is fully executed, the sale is final and the retailer is not obligated to refund the consumer deposit if the purchaser subsequently cancels the agreement. If the purchaser elects to cancel the purchase agreement within the 7 day limit and an application for a certificate of manufactured home ownership has not been fully executed, the purchaser shall notify the retailer in writing by certified mail postmarked before the end of the seventh day to be eligible for full refund of the consumer deposit."

14. The purchase agreement between Respondents and Randy and Melinda LaBoe does not contain the correct Seven Day Binding Date Statement.

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

15. Respondents' failure to include the correct binding date statement on the purchase agreement is a violation of Rule 403(13) and Section 38(1) (b) of the Act.

#### COUNT IV

##### **FAILURE TO STOP ALL SALES ACTIVITY AFTER THE SURETY BOND IS CANCELLED**

16. A surety bond of \$10,000.00 or a deposit of \$10,000.00 in cash or securities, made payable to the "State of Michigan," on a form prescribed by the department, is required for each location. If a surety bond is not in effect, then the retailer shall stop all sales activity.

17. Respondents' surety bond expired on December 12, 2006, and the purchase agreement for the manufactured home sold to Randy and Melinda LaBoe was executed on February 28, 2007.

18. Respondents' failure to stop all sales activity after the surety bond is cancelled is a violation of Rule 214f (2) and Sections 22 and 38(1) (b) of the Act.

IT IS THEREFORE ORDERED, pursuant to Sections 38(1) (b) and 38 (2) of the Act, because of the aforementioned violations of the Act and Rules and because the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with the purposes and provisions of the Act, that the above named Respondents SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED HOUSING RETAILER LICENSE; IMPOSING A CIVIL FINE; REQUIRING RESTITUTION; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED.

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

This Order to Show Cause offers the Respondents the final opportunity to resolve outstanding Counts I through IV of this Order to Show Cause by providing evidence to the Bureau documenting full compliance with the following requirements within 15 days of receipt of this Order to Show Cause:

- a. Return to the Bureau all requested documentation described in Counts I through IV of the attached May 9, 2008, Bureau Notice of Opportunity (*Exhibit B*).
- b. Remit to the Bureau an administrative fee in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909. This fee is due because of Respondents' continuing failure to comply with all of the provisions of the Act and Rules cited in this Order.

BE ADVISED that all interested parties are afforded an opportunity for a hearing. If a written request for a hearing is received by the Bureau within fifteen (15) days from the date of your written receipt of this Order to Show Cause, then the matter shall be set down for a hearing to commence within forty-five (45) days after your receipt of this Order to Show Cause, unless you and the Bureau consent to a later date.

BE ADVISED THAT ANY REQUEST FOR A HEARING should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909. After a hearing, an Order may be entered and sanctions imposed by the Manufactured Housing Commission as provided by Section 43 of the Act.



BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

BE ADVISED that it is important you understand that any statements which you present in a written response to this Order to Show Cause may be used against you at a formal proceeding arising from this matter. It is important that you understand that you have the right, at your own expense, to have an attorney assist you in preparing a written response, or assist you at any appellate proceeding regarding the Manufactured Housing Commission's determination on this matter.

BE ADVISED that a Findings of Fact and Conclusions of Law, followed by a Final Order, shall be entered in this matter to any Respondent who does not comply with this Order To Show Cause within 15 days of receipt, pursuant to Section 39(1) of the Act. The Manufactured Housing Commission may then impose sanctions as provided by Section 43 of the Act.

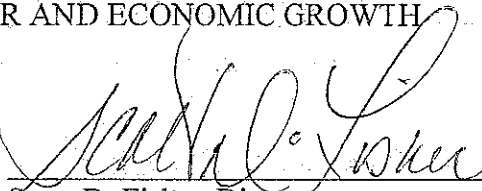
BE FINALLY ADVISED that a licensee shall not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule 214b.

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

ANY COMMUNICATION regarding this Order to Show Cause should be addressed to  
the Bureau of Construction Codes, Office of Local Government and Consumer Services,  
Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF  
LABOR AND ECONOMIC GROWTH

By:

  
Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Dated: 06/25/08  
Lansing, Michigan

A Copy of this Statement of Intent was sent by Certified and First Class Mail to:

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

(Operator's Address)

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

Randy and Melinda LaBoe  
17346 Oak Grove  
Romulus, Michigan 48174

(Consumer Complainants)

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
ORDER TO SHOW CAUSE

A Copy of this Statement of Intent was sent by Interdepartmental Mail to:

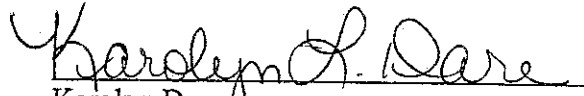
Larry Lehman, Chief  
Building Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Scott D. Fisher, Director  
Office of Local Government and Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

**PROOF OF SERVICE**

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act** was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by mailing same to them via first class mail, and certified mail return receipt requested, at their respective addresses as disclosed by the file on the 13th day of May, 2008

  
Karolyn Dare  
Bureau of Construction Codes

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

(Operator's Address)

Superior Manufactured Homes, Inc  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

Randy and Melinda LaBoe  
17346 Oak Grove  
Romulus, Michigan 48174

(Complainant)

Larry Lehman, Chief  
Building Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Scott D. Fisher, Director  
Office of Local Government and Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

STATE OF MICHIGAN  
DEPARTMENT OF LABOR AND ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES

In the Matter of:

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

BCC Complaint No. D 08-0303

(Operator's Address)

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

Manufactured Housing Retailer License No. D002316

(Respondents)

\_\_\_\_\_ /

Issued and entered  
this 9th day of May, 2008  
by Scott Fisher, Director  
Office of Local Government and Consumer Services

**STATEMENT OF INTENT TO COMMENCE PROCEEDINGS  
AND NOTICE OF OPPORTUNITY TO  
SHOW WHY SUCH PROCEEDINGS SHOULD NOT BE COMMENCED  
PURSUANT TO THE MOBILE HOME COMMISSION ACT;  
BY NOTICE OF INFORMAL COMPLIANCE CONFERENCE  
SCHEDULED FOR WEDNESDAY, JUNE 4, 2008, AT 10:00 A.M.**

TAKE NOTICE that the Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq, the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
STATEMENT OF INTENT

125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the rules promulgated under the Act (hereafter the Rules), intends to begin proceedings relating to possible violations of the Act and Rules which proceedings might result in the imposition of the penalties and remedies provided in the Act unless a satisfactory response to this Statement of Intent to Commence Proceedings and Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the Mobile Home Commission Act (hereafter the Statement of Intent) is received.

THE REASONS for this Statement of Intent are:

**FACTS COMMON TO ALL COUNTS**

1. Superior Manufactured Homes, Inc., (Respondents) is a corporation organized and existing under the laws of the State of Michigan. The address for Respondents' Operator is 10673 Grafton Rd., Carleton, Michigan 48117-9145. Beth A. Geise is the President of Superior Manufactured Homes, Inc.

2. Respondents were engaged in the business of owning and operating a manufactured housing retail location at 10125 Telegraph Rd., Carleton, Michigan 48117, and held Manufactured Housing Retailer License No. D002316 for the 2005-2006 licensing years. Respondents' 2006-2009 license renewal application was filed; however, the license was not issued because bond cancellation notices that were received on September 7, 2006, cancelled the retailer's bonds on December 12, 2006. To date Respondents have not completed their license renewal application for the 2006-2009 licensing years by replacing their bonds, and no

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
STATEMENT OF INTENT

termination statement has been filed. Beth A. Geise is the Operator of Superior Manufactured Homes, Inc.

3. On February 21, 2008, the Bureau of Construction Codes, Office of Local Government and Consumer Services received a complaint from Randy and Melinda LaBoe. The information received with the complaint disclosed that Respondents sold a manufactured home to Mr. and Mrs. LaBoe and never filed the Application for Certificate of Manufactured Home Ownership (Title Application). Respondents are in violation of the following:

**COUNT I**

**FAILURE TO RESPOND TO AN ORDER TO ANSWER A  
REQUEST FOR INFORMATION**

4. The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the licensee does not make the required statement the department may issue an order directing a response by the licensee.

5. On April 14, 2008, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act, which is attached as **Exhibit A**, was sent to Respondents. Respondents failed to file a response to the request for information.

6. Respondents' failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (8) and Sections 36 and 38(1) (b) of the Act.

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
STATEMENT OF INTENT

**COUNT II**

**FAILURE TO PREPARE AND FILE THE APPLICATION FOR  
CERTIFICATE OF MANUFACTURED HOME OWNERSHIP  
(FORM BCC-944)**

7. Respondents sold the following manufactured home to the following purchaser,  
on or about the date indicated:

<b>PURCHASER &amp; MOBILE HOME I.D. #</b>	<b>PRICE</b>	<b>SALES TAX</b>	<b>TITLE FEE</b>	<b>CLOSING DATE</b>
<b>Randy &amp; Melinda LaBoe</b> 1973 Holly Park 6016329	\$3,000.00	\$180.00	\$90.00	02-28-2007

8. At the time of the sale, Respondents failed to prepare and file with the  
Department or its authorized representative, the Application for Certificate of Manufactured  
Home Ownership.

9. Respondents' failure to prepare and file the Application for Certificate of  
Manufactured Home Ownership (Form BCC-944) is a violation of Rules 302(1) and 402(2) and  
Sections 30a(1) and 38(1)(b) of the Act.

**COUNT III**

**FAILURE TO INCLUDE THE CORRECT BINDING DATE  
STATEMENT ON THE PURCHASE AGREEMENT**

10. The front of each purchase agreement shall contain the following Seven Day  
Binding Date Statement in not less than 8-point, boldface, all caps type:



BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
STATEMENT OF INTENT

"Seven days after the purchaser receives a legible copy of the executed purchase agreement, or if any time within the 7 days an application for a certificate of manufactured home ownership is fully executed, the sale is final and the retailer is not obligated to refund the consumer deposit if the purchaser subsequently cancels the agreement. If the purchaser elects to cancel the purchase agreement within the 7 day limit and an application for a certificate of manufactured home ownership has not been fully executed, the purchaser shall notify the retailer in writing by certified mail postmarked before the end of the seventh day to be eligible for full refund of the consumer deposit."

11. The purchase agreement between Respondents and Randy and Melinda LaBoe does not contain the correct Seven Day Binding Date Statement.
12. Respondents' failure to include the correct binding date statement on the purchase agreement is a violation of Rule 403(13) and Section 38(1) (b) of the Act.

**COUNT IV**

**FAILURE TO STOP ALL SALES ACTIVITY AFTER THE  
SURETY BOND IS CANCELLED**

13. A surety bond of \$10,000.00 or a deposit of \$10,000.00 in cash or securities, made payable to the "State of Michigan," on a form prescribed by the department, is required for each location. If a surety bond is not in effect, then the retailer shall stop all sales activity.
14. Respondents' surety bond expired on December 12, 2006, and the purchase agreement for the manufactured home sold to Randy and Melinda LaBoe was executed on February 28, 2007.
15. Respondents' failure to stop all sales activity after the surety bond is cancelled is a violation of Rule 214f (2) and Sections 22 and 38(1) (b) of the Act.

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
STATEMENT OF INTENT

THE CONDUCT alleged in Count I through Count IV may constitute grounds for the imposition of penalties and remedies provided in the Act. These sanctions may include suspension, revocation, or limitation on your manufactured housing retailer license; censure; probation; imposition of a civil fine; restitution; and/or an Order to Cease and Desist, pursuant to the Act.

BE ADVISED that the Bureau must provide you with an opportunity to show compliance with all lawful requirements before commencing formal proceedings which might lead to penalties provided in the Act. This is your Statement of Intent of the right to that opportunity.

BE ADVISED that you may show compliance in writing, provided that your written statement is submitted within 15 days of your receipt of this Statement of Intent. Alternatively, you may appear at an informal conference with the Bureau's authorized representative scheduled for **Wednesday, June 4, 2008, at 10:00 a.m.**, at the Bureau's offices at 2501 Woodlake Circle, Okemos, Michigan. If you decide to appear at an informal conference, you must notify the Bureau, in writing, within 15 days of your receipt of this Statement of Intent. Pursuant to Section 37 (2) of the Act, the Bureau may accept from Respondents at this conference a written assurance that the violations alleged in the preceding Counts will be discontinued, the conditions of which may include payment of an administration fee.

BE ADVISED that it is important that you understand that any statements which you present either in a written response or at any informal conference may be used against you at a formal hearing, if one is held. It is also important that you understand that you have the right, at

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
STATEMENT OF INTENT

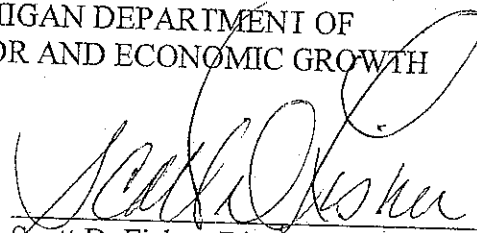
your own expense, to have an attorney assist you in preparing a written response, or assist you at an informal conference.

BE FURTHER ADVISED that if the Bureau's representatives decide that you have not made a sufficient showing of compliance, or if you do not respond to this Statement of Intent, the Bureau's representatives will institute formal administrative proceedings regarding the Counts set forth in this Statement of Intent.

ANY COMMUNICATION regarding this Statement of Intent should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Bill DeTemple, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF  
LABOR AND ECONOMIC GROWTH

By:

  
Scott D. Fisher, Director  
Office of Local Government & Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Dated: 05/09/08  
Lansing, Michigan

BETH A. GEISE, PRESIDENT AND OPERATOR  
SUPERIOR MANUFACTURED HOMES, INC.  
STATEMENT OF INTENT

A Copy of this Statement of Intent was sent by Certified and First Class Mail to:

Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

(Operator's Address)

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

(Retail Location)

Randy and Melinda LaBoe  
17346 Oak Grove  
Romulus, Michigan 48174

(Complainant)

A Copy of this Statement of Intent was sent by Interdepartmental Mail to:

Larry Lehman, Chief  
Building Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Beth Aben, Deputy Director  
Administration  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909

Scott D. Fisher, Director  
Office of Local Government and Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Michigan 48909



Exhibit A

JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

**MANUFACTURED HOUSING COMMISSION  
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle  
Okemos, Michigan 48864

In the Matter of:


**Ms. Beth A. Geise, President and Operator**  
Superior Manufactured Homes, Inc.  
10673 Grafton Rd.  
Carleton, Michigan 48117-9145

Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

License Number: D002316  
Case Number: D 08-0303

**ORDER TO ANSWER A REQUEST FOR INFORMATION  
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

IT IS HEREBY ORDERED, Pursuant to Section 36 of the Mobile Home Commission Act, 1987, P.A. 96, as amended; MCLA 125 2301 et seq., MSA 19.885(101) et seq., and Rule R125.192a of the Michigan Administrative Code, that the above named Respondent file, within **10 business days** of receipt of this Order, a response to the request for information, appended hereto, which states the facts and circumstances concerning the matters raised in the request for information. Please direct your response to Bill DeTemple at the address listed below.

  
\_\_\_\_\_  
Scott D. Fisher, Director  
Office of Local Government and Consumer Services  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, MI 48909-8203

April 14, 2008

*Providing for Michigan's Safety in the Built Environment*

BUREAU OF CONSTRUCTION CODES  
P.O. BOX 30254 • LANSING, MICHIGAN 48909  
Telephone (517) 241-9347 • Fax (517) 241-9308  
[www.michigan.gov](http://www.michigan.gov)

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JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

March 18, 2008

Ms. Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

RE: Manufactured Housing Retailer License D002316 (Expired)  
BCC Complaint No. D 08-0303

Dear Ms. Geise:

On February 28, 2008, the enclosed letter was sent to your attention. The letter addresses a complaint we received from Randy and Melinda LaBoe and requires you to file the Application for Certificate of Manufactured Home Ownership (Title Application) for the 1973 Holly Park (6016329) your dealership sold to Mr. and Mrs. LaBoe. The letter also requires you to send a copy of the validated application as proof that you have complied. To date, you have not filed Mr. and Mrs. LaBoe's Title Application.

Your failure to file the Title Application for the manufactured home your dealership sold to Randy and Melinda LaBoe, and submit a copy of the validated application confirming that the alleged violation has been corrected, within 5 business days of receipt of this letter, will result in administrative action being initiated against Superior Manufactured Homes, Inc. and Beth A. Geise, President and Operator.

We would appreciate your cooperation in this matter. If you have any questions, please contact me at 517-241-9347.

Sincerely,

Bill DeTemple, Analyst  
Office of Local Government and Consumer Services

BD/bd

Enclosure

cc: Beith A. Geise, 10673 Grafton Rd., Carleton, Michigan 48117-9145  
Randy and Melinda LaBoe, 17346 Oak Grove, Romulus, Michigan 48174

*Providing for Michigan's Safety in the Built Environment*

BUREAU OF CONSTRUCTION CODES  
P.O. BOX 30254 • LANSING, MICHIGAN 48909  
Telephone (517) 241-9347 • Fax (517) 241-9308  
www.michigan.gov

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JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

February 28, 2008

Ms. Beth A. Geise, President and Operator  
Superior Manufactured Homes, Inc.  
10125 Telegraph Rd.  
Carleton, Michigan 48117

RE: Complaint No. D 08-0303 Randy and Melinda LaBoe v Superior Manufactured Homes, Inc  
Retailer License D002316 (expired)

Dear Ms. Geise:

The information we received indicates your retail location sold a manufactured home (1973 Holly Park 6016329) to Randy and Melinda LaBoe on February 28, 2007, and did not file the Application for Certificate of Manufactured Home Ownership (Title Application)

Please file the Application within 10 business days of your receipt of this letter and send this office a copy of the Validated Application. Failure to do so is a violation of the Mobile Home Commission Act, Public Act of 1987, Section 30c (6), and Manufactured Housing General Rule 402(2).

Please include the above referenced complaint number on the copy of the Application you send this office. If you have any questions, please feel free to contact me by phone at (517) 241-9347 or fax at (517) 241-9308

Sincerely,

Bill DeTemple, Analyst  
Office of Local Government & Consumer Services  
P. O. Box 30222  
Lansing, Michigan 48909

BD/bd

Enclosures

CC Beth Geise, 10673 Grafton Rd., Carleton, Michigan 48117-9145  
Randy and Melinda Laboe, 17346 Oak Grove, Romulus, Michigan 48174

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES  
P O BOX 30254 • LANSING, MICHIGAN 48909  
Telephone (517) 241-9347 • Fax (517) 241-9308  
www.michigan.gov

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# MANUFACTURED HOUSING STATEMENT OF COMPLAINT

Filing of this form is voluntary, but your complaint will not be considered unless it is filed.

Read carefully and complete all areas that apply.  
Type print legibly in ink.  
Attach additional sheets, if necessary.

Your Name (Last, First, MI) <b>L. 488 Randy B. &amp; Melinda C.</b>		Home Telephone Number <b>[REDACTED]</b>		Work Telephone Number <b>( ) N/A</b>	
Your Street Address <b>17346 Oak Grove</b>		City <b>Romulus</b>	State <b>Mi</b>	Zip Code <b>48174</b>	County <b>Wayne</b>
Manufactured Home Community Name <b>Tele Valley</b>		Manager's Name <b>Larry</b>		Telephone Number <b>(734) 285-2288</b>	
Manufactured Home Community Street Address <b>17707 Telegraph Rd.</b>		City <b>Romulus</b>	State <b>Mi</b>	Zip Code <b>48174</b>	County <b>Wayne</b>

This complaint relates to the following: (check all boxes that apply)

- ☐ Community
 ☒ Retailer
 ☐ Installer / Servicer
 ☐ Manufacturer
 ☐ Other:

Name of business your complaint is against

**Superior Homes**

Contact person's Name

**Beth Geise**

Telephone Number

**(734) 586-7477**

Business Street Address

**10125 Telegraph Rd.**

City

**Carleton**

State

**Mi**

Zip Code

**48117**

Before this complaint can be filed, you must submit your complaint in writing to the business(es) the complaint is against and allow 10 business days for a response.

Attach a copy of the complaint, proof that it was delivered to the business (such as a registered mail or personal delivery receipt), and any written response you received. In addition, attach copies not originals, of supporting documents, including the purchase agreement if your complaint is against a retailer or manufacturer, or the work order if the complaint is against an installer/servicer.

If you received only a verbal response, what were you told?

**Letter Refused for Delivery**

Have you filed a complaint with any other state or local agency? ☐ Yes ☒ No

If "Yes", list agency(ies)

Is there court action pending? ☐ Yes ☒ No

If "Yes", give name and location of court

If your complaint is against a retailer, installer/servicer or manufacturer, complete the following:

Manufactured Home Serial Number <b>6016329</b>		Purchase Date <b>2-28-2007</b>		Delivery Date <b>2-28-2007</b>	
Manufacturer's Name (enter information if different than that already entered in Section 2) <b>Holly Park</b>		Manufacturer's Telephone Number <b>( )</b>		City <b>( )</b>	
Manufacturer's Street Address <b>Superior Manufactured Homes, Inc</b>		State <b>( )</b>		Zip Code <b>( )</b>	
Retailer's or Installer/Servicer's Name (enter information if different than that already entered in Section 2) <b>Superior Manufactured Homes, Inc</b>		Retailer's or Installer/Servicer's Telephone Number <b>(734) 586-7477</b>		City <b>Carleton</b>	
Retailer's or Installer/Servicer's Street Address <b>10125 Telegraph Rd.</b>		State <b>Mi</b>		Zip Code <b>48117</b>	

We understand that this form is a public record under 1976 PA 442, the Freedom of Information Act, and that the agency will be sending a copy of this form to the business complained against. If this complaint is accepted and, after investigation, it is necessary to hold a formal hearing, I/we agree to voluntarily testify at that hearing regarding this complaint.

**Melinda C. Claboe**  
**Randy B. Claboe**

Signature(s)

**1/29/2008**

Date

Return to:

Michigan Department of Labor & Economic Growth  
Bureau of Construction Codes & Fire Safety  
Office of Local Government and Consumer Services  
P.O. Box 30222  
Lansing, Michigan 48909-8203

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act you may make your needs known to this agency.

BCCFS-925 (12/03)

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**SUPERIOR MANUFACTURED HOMES, INC.**

MFR. YR. \_\_\_\_\_

10125 Telegraph Road  
 CARLETON, MICHIGAN 48117  
 (734) 586-7477 • FAX: (734) 586-3830

*RZ*  
 2-28-07

PURCHASER(S) <u>Randy LaBoe + Melinda LaBoe</u>		PHONE <u>[REDACTED]</u>	DATE <u>2-28-07</u>
ADDRESS <u>185 Cicotte St Escabe MI 48229</u>		SALESPERSON <u>BeH</u>	
DELIVERY ADDRESS <u>17346 OAK GROVE ST Tella Valley Remus MI 48074</u>			
MAKE & MODEL <u>Holly Park</u>	YEAR <u>73</u>	BEDROOMS <u>2</u>	FLOOR SIZE <u>11</u> W <u>1</u> W <u>1</u>
SERIAL NUMBER <u>60016329</u>	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> USED		PROPOSED DELIVERY DATE _____
COLOR _____		KEY NUMBERS _____	

LOCATION	R-VALUE	THICKNESS	TYPE OF INSULATION	BASE PRICE OF UNIT	\$
CEILING					3000.00
EXTERIOR				OPTIONAL EQUIPMENT	
FLOORS					

THIS INSULATION INFORMATION WAS FURNISHED BY THE MANUFACTURER AND IS DISCLOSED IN COMPLIANCE WITH THE FEDERAL TRADE COMMISSION RULE 16CRF. SECTION 460.16

OPTIONAL EQUIPMENT, LABOR AND ACCESSORIES \$ \_\_\_\_\_

SALES TAX 180.00

NON-TAXABLE ITEMS 451.00

VARIOUS FEES AND INSURANCE

1. CASH PURCHASE PRICE \$ 3225.00

TRADE-IN ALLOWANCE \$ \_\_\_\_\_

Less BAL. DUE on above \$ \_\_\_\_\_

NET ALLOWANCE \$ \_\_\_\_\_

CASH DOWN PAYMENT \$ 300.00

CASH AS AGREED SEE REMARKS \$ 3225.00

2. LESS TOTAL CREDITS \$ \_\_\_\_\_

SUB-TOTAL \$ \_\_\_\_\_

SALES TAX (If Not Included Above) \$ \_\_\_\_\_

3. Unpaid Balance of Cash Sale Price \$ 2925.00

SEVEN (7) DAYS AFTER THE PURCHASER RECEIVES A LEGIBLE COPY OF THE EXECUTED PURCHASE AGREEMENT, OR IF ANY TIME WITHIN THE SEVEN (7) DAYS AN APPLICATION FOR A CERTIFICATE OF MANUFACTURED HOME OWNERSHIP IS SIGNED BY BOTH THE PURCHASER AND SELLER, THE SALE IS FINAL AND THE RETAILER IS NOT OBLIGATED TO REFUND THE CONSUMER DEPOSIT IF THE PURCHASER SUBSEQUENTLY CANCELS THE AGREEMENT. IF THE PURCHASER ELECTS TO CANCEL THE PURCHASE AGREEMENT WITHIN THE SEVEN (7) DAY LIMIT AND AN APPLICATION FOR A CERTIFICATE OF MANUFACTURED HOME OWNERSHIP HAS NOT BEEN SIGNED BY THE SELLER AND PURCHASER, THE PURCHASER SHALL NOTIFY THE RETAILER IN WRITING POSTMARKED BEFORE THE END OF THE 7TH DAY TO BE ELIGIBLE FOR FULL REFUND OF THE CONSUMER DEPOSIT.

REMARKS:

need bank approval  
Received \$300.00 ck # 415

Purchaser and Retailer certify that the additional terms and conditions printed on the other side of this contract are agreed to as a part of this agreement, the same as if printed above the signatures. Purchaser is purchasing the above described manufactured home, trailer or vehicle; the optional equipment and accessories, the insurance as described has been voluntary; that Purchaser's trade-in is free from all claims whatsoever, except as noted.

ANY DEBT PURCHASER OWES ON TRADE-IN IS TO BE PAID BY ☐ RETAILER ☐ PURCHASER

THIS CONTRACT IS THE PROPERTY OF SUPERIOR MANUFACTURED HOMES, INC. AND IT IS TO BE RETURNED TO THE RETAILER WITHIN 30 DAYS OF THE DATE OF PURCHASE. PURCHASER'S SIGNATURE IS REQUIRED TO VALIDATE THIS ORDER AND THAT PURCHASER'S HAVE READ AND UNDERSTAND THE TERMS OF THIS AGREEMENT.

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# SUPERIOR

MANUFACTURED HOMES, INC.  
10125 Telegraph Road Carleton, MI 48117  
PH: (734)586-7477 FAX: (734)586-3830

## ADDENDUM TO THE CONTRACT CONTRACT OF TITLE

This agreement is between Superior Manufactured Homes, Inc., and purchaser(s)

Randy Laboe & Melinda Laboe

It is understood that the above name(s), agree to pay to Superior Manufactured Homes, Inc a balance of \$ 39000.00 at 13 % interest with payment of \$ see amorti per month for 24 months, starting March 3, 2007 for the purchase of a (Year) 1973 (Make) Holly Park (Serial No.) 6016329 (Size)

At the time of final payment, Superior Manufactured Homes, Inc, will furnish to the above named purchaser(s), a free and clear title to above mentioned home

It is further understood, and agreed, that if the payment of \$ see amortiz is TEN (10) days late, there will be a TWENTY-FIVE DOLLAR (\$25.00) LATE CHARGE. If any payment is THIRTY (30) days late, or more past due, the above named purchaser(s) will vacate said premises immediately, leaving the home in no dis-repair.

YOU WILL BE HELD FINANCIALLY RESPONSIBLE FOR ANY VANDELISM TO THE HOME AND OR REMOVAL OF APPLIANCES SOLD WITH THE HOME

ABOVE NAMED PURCHASER (S) WILL CARRY HOMEOWNERS INSURANCE WITH SUPERIOR MANUFACTURED HOMES, INC LISTED AS LEINHOLDER, FOR THE FULL TERM OF THIS CONTRACT, AND SUBMIT PROOF OF SAME AT EACH RENEWAL TIME TO SUPERIOR MANUFACTURED HOMES, INC

Said premises is to be occupied by the above named purchaser(s) only, and may not be rented, or sub-let at any time during the term of this contract.

PURCHASER Randy B. Laboe DATE 2/3/07  
PURCHASER Melinda C. Laboe DATE 2/3/07

The above was witnessed and notarized on this \_\_\_\_\_ day of \_\_\_\_\_

By: Carol A. Geise notary (typed) \_\_\_\_\_

Expires \_\_\_\_\_  
CAROL ANN GEISE County of Monroe State of Michigan  
Notary Public - Michigan  
Wayne County  
My Commission Expires Sep 23, 2011  
Acting in the County of Monroe

Vorton Financial Power Tools - Mortgage Calculations.

Based on a mortgage of \$3,900.00  
At an interest rate of 13.00%, amortized over 2 year(s)  
With payments of \$185.41, made monthly  
Total cost of the mortgage: \$4,449.91

Payments Start

3-7-07  
4-7-07  
5-7-07  
6-1-07

	Date	Interest Paid	Principal	Balance	Interest to Date	Total to Date
1	03/07	\$42.25	\$143.16	\$3,756.84	\$42.25	\$185.41
2	04/07	\$40.70	\$144.71	\$3,612.12	\$82.95	\$370.83
3	05/07	\$39.13	\$146.28	\$3,465.84	\$122.08	\$556.24
4	06/07	\$37.55	\$147.87	\$3,317.97	\$159.63	\$741.65
5	07/07	\$35.94	\$149.47	\$3,168.51	\$195.57	\$927.07
6	08/07	\$34.36	\$151.05	\$3,017.42	\$229.90	\$1,112.48
7	09/07	\$32.69	\$152.72	\$2,864.69	\$262.59	\$1,297.89
8	10/07	\$31.03	\$154.38	\$2,710.32	\$293.62	\$1,483.29
9	11/07	\$29.36	\$156.05	\$2,554.26	\$322.98	\$1,668.72
10	12/07	\$27.67	\$157.74	\$2,396.52	\$350.65	\$1,854.13
11	01/08	\$25.96	\$159.45	\$2,237.07	\$376.62	\$2,039.54
12	02/08	\$24.23	\$161.18	\$2,075.89	\$400.85	\$2,224.96
13	03/08	\$22.49	\$162.92	\$1,912.97	\$423.34	\$2,410.37
14	04/08	\$20.72	\$164.69	\$1,748.28	\$444.06	\$2,595.76
15	05/08	\$18.94	\$166.47	\$1,581.81	\$463.00	\$2,781.20
16	06/08	\$17.14	\$168.28	\$1,413.53	\$480.14	\$2,966.61
17	07/08	\$15.31	\$170.10	\$1,243.43	\$495.45	\$3,152.02
18	08/08	\$13.47	\$171.94	\$1,071.49	\$508.92	\$3,337.44
19	09/08	\$11.61	\$173.81	\$897.68	\$520.53	\$3,522.85
20	10/08	\$9.72	\$175.69	\$721.99	\$530.25	\$3,708.26
21	11/08	\$7.82	\$177.59	\$544.40	\$538.08	\$3,893.68
22	12/08	\$5.90	\$179.52	\$364.88	\$543.97	\$4,078.05
23	01/09	\$3.95	\$181.46	\$183.43	\$547.93	\$4,264.50
24	02/09	\$1.99	\$183.43	\$0.00	\$549.91	\$4,449.91

X B-L-B-

Melinda LaBar

Bob C. LaBar

Date 2-3-07

Date 2-3-07

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December 11, 2007

Randy B. LaBoe  
Melinda C. LaBoe  
17346 Oak Grove  
Romulus, Mi 48174

Beth Geise  
Superior Homes  
10125 Telegraph Rd  
Carleton, Mi 48117

Ms. Geise,

This is to inform you that my wife and I have waited patiently for the title to the mobile home that we purchased from you in 2007. We have requested the title from you on several occasions, and have not received it as of this date.

I took it upon myself to go to the Secretary of State to obtain a copy of the title, because the park in which we reside needs a copy for their files, and have found out that my home is still in your name, and I can not get a copy of the title unless it is from you.

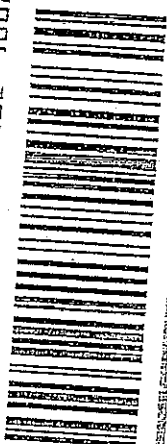
Therefore, you have left me no alternative but to tell you that I am giving you 10 business days to deliver the title to me, or I will be forced to take further appropriate actions.

Thank you,  
Randy B. LaBoe

P Oal304  
1734th Dale Ave  
Rome, NY

1-23-03  
2-2-07

48117  
U.S. POSTAGE  
UNITED STATES OF AMERICA



7006 2760 0003 0402 4452



0000

48117

U.S. POSTAGE  
\$5.21  
DEC 28 2007  
00068963-111

RETURN REQUESTED  
NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

*Handwritten:* 29 11/23/03  
1-3 11/23/03  
48117

POSTAGE WILL BE PAID BY ADDRESSEE

1. Article addressed to:
2. Article Number
3. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
4. Print your name and address on the reverse so that we can return the card to you.
5. Attach this card to the back of the mailpiece, or on the front if space permits.

Beth Geis  
Superior Homes  
10125 Telegraph Rd.  
Casselman, Md. 48117

RESTRICTED DELIVERY

A. Signature

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below: ☐ Yes ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail

☐ Registered ☐ Return Receipt for Merchandise

☐ Insured Mail ☐ O.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

7006 2760 0003 0402 4452

Non-Postal Return Receipt

102595-02-M-1540



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

September 12, 2008

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT: REQUEST FOR VARIANCE  
THORN HOLLOW MOBILE HOME VILLAGE (TH) [SITES 48-66]  
(ST. CLAIR CO.)

**R125.1920(1)(c), Rule 920(1)(c): Dead end internal roads shall terminate with a turning area radius of 50 feet. Parking shall not be permitted within the turning area, which shall be posted within the turning area (variance requested).**

R125.1905(5), Rule 905(5): A plans approval and permit to construct shall be valid for 5 years after the date of issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan's approval and permit to construct was issued.

Attached is a July 14, 2008, variance submission from Mr. Roy Ragland, Operator, requesting that the Commission allow TH, a 19-site renewal project, to construct an internal dead-end road with the illustrated hammerhead radii, rather than the 50-foot radii turning circle specified by Rule 920(1)(c) under the August 1, 2003, rules revisions.

TH justifies these reduced standards by contending that the plans for construction of this project were approved on September 18, 2002, before the aforementioned rules were amended. The Permit to Construct (PTC) issued on this date for TH's plans featuring the proposed turnaround, expired on September 12, 2007. TH submitted an application for renewal, which prompted the attached 2007 responses from the Bureau's Plan Review Division. Changing the plans now to accommodate the newer standards would, according to Mr. Ragland, cause him to "suffer the income loss of four rental lots...placing the entire construction project in financial uncertainty." A "before and after" diagram showing the comparative impact of the 50-foot cul-de-sac on these lots is attached for your review.

*Providing for Michigan's Safety in the Built Environment*

BUREAU OF CONSTRUCTION CODES  
P.O. BOX 30254 • LANSING, MICHIGAN 48909  
Telephone (517) 241-9317 • Fax (517) 241-9308  
[www.michigan.gov/dleg](http://www.michigan.gov/dleg)

Thorn Hollow Mobile Home Village  
September 12, 2008  
Page Two

The lapse of this PTC necessitates a **Bureau** renewal to satisfy the applicant's projected completion target. Under the 10-year clause of Rule 905(5), the PTC, originally issued on September 18, 2002, may not be administratively renewable beyond September 18, 2012, without a **Commission** variance.

Whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for a variance to Rule 920(1)(c), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to revise his construction plans. Whether the developer has also demonstrated an exceptional practical difficulty to complying with the revised rules that became effective on August 1, 2003, is a related question the applicant wants you to decide. In any event, if the Commission is convinced by IH's justification, there may be grounds for approving this variance.

KGD/kgd

Attachment

cc: Bill DeTemple, OLGCS (w attach.)  
Todd Cordill, BCC, Plan Review (w attach.)  
Beth Aben, Deputy Director, BCC (w attach )



July 14, 2008

To: Mr. Kevin G. DeGroat

Re: Mr. Roy Ragland  
Thornhollow Mobile Home Park

Subject: Request for Variance

Dear Mr. DeGroat:

I have enclosed a true copy of the blue print regarding the current variance request. Upon examination of the print, you will find that to comply with the new State of Michigan request (for a fifty foot turning radius) I would suffer the income loss of four (4) rental lots. The estimated total cost of construction of the site will probably remain as previously estimated. The cost of construction was based on the original approved plans. However due to the new requested variance regarding the fifty foot turning radius, the income lose due to reducing four lot rentals results in placing the entire construction project in financial uncertainty.

Accordingly, I request that the original construction plans stand as approved. This is the variance I am requesting.

Respectfully,

A handwritten signature in cursive script, reading "Roy Ragland". The signature is written in dark ink and is positioned to the right of the word "Respectfully,".

Roy Ragland  
Thornhollow Mobile Home Park


To: Michael Pellerito  
Clay Township Clerk  
P.O. Box 429  
Algonac, MI 48001

From: Roy Ragland  
Thornhollow Mobile Home Park

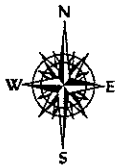
Dear Mr. Pellerito

Thornhollow Mobile Home Park has requested a variance from the Mobile Home Commission. We are asking for a variance to keep the plans as were originally approved and not subject to the new request. Attached you will find a print of the variance.

Respectfully,

A handwritten signature in cursive script, appearing to read "Roy Ragland". The signature is written in dark ink and is positioned to the right of the word "Respectfully,".

Roy Ragland  
Thornhollow Mobile Home Park



## APPROVED LAYOUT

APPROVED PRIOR TO 2003

## VARIANCE REQUEST

THORNHOLLOW MOBILE HOME PARK  
PROJECT NUMBER: 74209 - ST. CLAIR

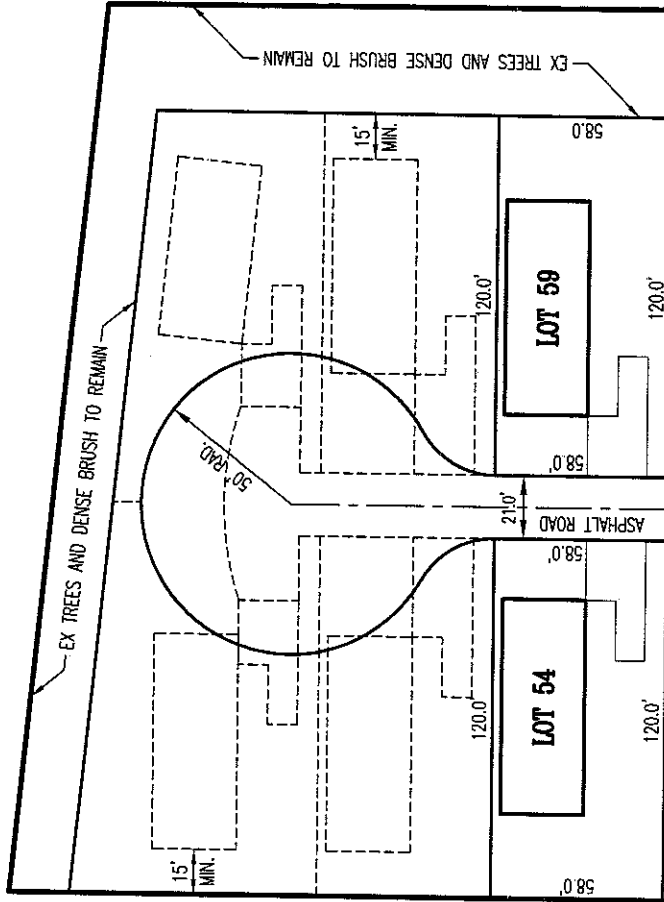
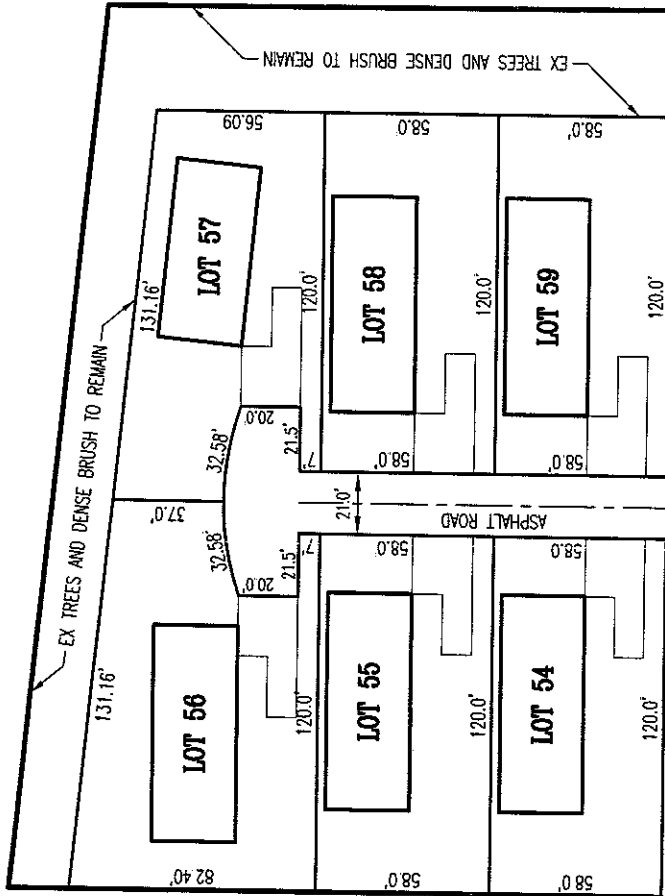
PER LETTER DATED OCTOBER 11, 2007

RULE 920(1)(c) - DEAD END INTERNAL ROADS SHALL  
TERMINATE WITH A TURNING RADIUS OF FIFTY (50) FEET  
INCLUDING THE TEMPORARY TURN AROUND

## REQUIRED LAYOUT

COMPLIANCE WITH 2003 MANUFACTURED  
HOUSING GENERAL RULES

THE REQUIRED LAYOUT WITH A  
CUL-DE-SAC HAVING A RADIUS OF 50'  
WILL RESULT IN THE LOSS OF 4 LOTS  
AS MINIMUM SETBACKS WILL NOT BE MET



CLIENT: ROY RAGLAND

ADDRESS: 9600 NOOK ROAD

CITY, STATE & ZIP: ALGONAC, MICHIGAN 48001

CITY/TWP: CLAY TOWNSHIP

**PROJECT CONTROL ENGINEERING, INC.**  
ENGINEERS SURVEYORS  
CONSULTANTS

P.O. BOX 307  
2420 PTE. TREMBLE ROAD  
ALGONAC, MI. 48001  
PHONE 810.794.1931  
FAX 810.794.3331  
WWW.PCE-ENG.COM

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MATTER CONTAINED HEREIN IS  
PROPRIETARY AND MAY NOT BE  
REPRODUCED WITHOUT THE WRITTEN  
PERMISSION OF:

**PROJECT CONTROL  
ENGINEERING, INC.**

JOB NUMBER: 96-5901

DRAWN BY: CAH

CHECK BY: JTM

DATE: 6-28-08 DRAWING ID: 5901/VARIANCE

SHEET No. 1 OF 1

REVISIONS:

SCALE: 1" = 50'



August 25, 2008

State of Michigan  
Plan Review Division Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Mi 48909

Atten: Kevin G. DeGroat

RE: Project Number 74209-St. Clair  
Thornhollow Mobile Home Village  
Algonac

Dear Mr. DeGroat;

I received your letter of August 22, 2008 informing us of a second notice of the plan review letter.

We responded to the original request on August 12, 2008, I am enclosing copies of that letter along with copies of answers to the original request.

If you have any further questions, please contact me at 906-292-0025.

Sincerely,

A handwritten signature in cursive script that reads "Roy Ragland".

Roy Ragland  
Thornhollow Mobile Home Village

August 12, 2008

State of Michigan  
Plan Review Division  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, Mi 48909

Atten: Kevin G. DeGroat

Subject: Variance Request Pooooo6


Dear Mr. DeGroat;

As per our telephone conversation last week, I am enclosing copies of the letters from the Plan Review Division, indicating the denial of the permit to construct.

As for number 3 on your letter there are no residents on any of the sites, as this is a new development.

We plan to have the construction completed by August , 2013, or sooner.

Respectfully,



Roy Ragland  
Thornhollow Mobile Home Park



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

## CONFIRMATION LETTER

September 25, 2007

Roy Ragland  
9600 Nook Road  
Algonac, MI 48001

RE:	Project No.:	<b>74209-St. Clair</b>
	Community Name:	Thorn Hollow Mobile Home Village
	City/Twp./Village:	Clay
	Date Received:	09/20/2007

Dear Mr. Ragland:

We are in receipt of the above mentioned project. Future correspondence regarding this submission should reference the project number noted above. For other than hourly fee calculations, when a project is disapproved, upon the third submission and each submission thereafter, an additional fee of \$100.00 **will be invoiced** per code review. When all code reviews are approved the total fee(s) due will be calculated and an invoice sent to the applicant for payment.

It is our goal to complete plan reviews within 15 business days from the date received. However, due to the busy construction season, we cannot guarantee a 15 business day completion in all cases. We ask for your cooperation and that you allow this time before contacting our office regarding this project. At that point, if there is a need to verify the status, it may be done by the applicant, architect/engineer or representative at (517) 241-9328.

Sincerely,

PLAN REVIEW DIVISION



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

October 11, 2007

Mr. Roy Ragland  
9600 Nook Road  
Algonac, MI 48001

RE: Project Number: 74209 - St. Clair  
Thorn Hollow Mobile Home Village  
9600 Nook Road  
Clay, MI

Construction Type: Renewal  
No. of Sites: 19  
Site Sequence: 48-66

Dear Mr. Ragland:

This project has been reviewed for compliance with the State of Michigan Manufactured Housing General Rules.

2003 Manufactured Housing General Rules - Usha Menon

1. Rule 905(5) - A plan approval and permit to construct is valid for 5 years after the date of issuance and may, upon application, review of the previously approved plans for compliance with these rules, and the approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan approval and permit to construct was issued.

Previously approved drawings shall comply with the 2003 Manufactured Housing General Rules.

2. Rule 920(1)(c) - Dead end internal roads shall terminate with a turning radius of fifty (50) feet including the temporary turn around.

Dead end road at lot 56 and lot 57.

Mr Roy Ragland

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3. If compliance cannot be achieved a variance form the Manufactured Housing Commission is required. For details contact Office of Local Government and Consumer Services at 517-241-9347.

Upon receipt of a written satisfactory response to each code plan review comment, the approval will be forwarded.

If you have any questions regarding your plan review, please contact our office at (517) 241-9328.

Sincerely,



Usha Menon, Plan Reviewer

UM/hf

cc: BCCFS – Building Division

John Monte